

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISON**

In re: _____ : Case No. _____

Bradley T. Smith : Chapter 13 (Judge _____)

Debtor(s) : _____

CHAPTER 13 PLAN

The Debtor(s) are/is entitled to relief under Chapter 13 of the Bankruptcy Code and propose a plan as follows:

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall pay the Trustee the sum of \$ 258.14 per month. Distribution to begin upon confirmation pursuant to 11 U.S.C. Section 1326(a)(2).
2. From the payments so received, the Trustee shall make disbursements pursuant to the paragraphs as marked below:
 - X (1) Administrative expenses, attorney's fees and priority payments as required under Section 1326(b).
 - (2) Payments on Debtor(s)' home secured by 1st mortgage (and subsequent mortgage if applicable) to be paid outside of the plan if in compliance with LBR 3015-1(d);
OR
 - (3) Payments on Debtor(s)' home secured by 1st mortgage and if payments are in excess of two (2) months in arrears, the payments maintained during the plan shall be made _____, 2005; Unless otherwise provided by the plan, if such Trustee payments is to begin after the month in which the petition is filed, the debtor is personally responsible for direct payment to the mortgage creditor of all mortgage payments due after the petition was filed and up to, but not including, the month specified for the Trustee to commence payments. If more than one conduit to be paid through the plan, the information is set forth in the Special Provisions paragraph #14;
 - (4) Arrearage on the residential mortgage loan to be paid within a reasonable period of time at 100% of the allowed claim with interest paid at the _____ contract rate of _____, or _____ plan rate

To be paid with the other secured creditors. If no above lien is marked, plan rate will control.

X (5) Secured creditors will retain their liens and will be paid the full value of the collateral in accordance with §506, with valuation determined in accordance with LBR 3012-1. To the extent secured creditors' claims are in excess of the collateral value, they will be treated as unsecured on the balance. Secured creditors are to be paid current market rate of interest or note rate, whichever is lower, on their allowed secured claim, which shall be eight percent (8%) unless otherwise stipulated; if the estate is determined to be solvent, all secured and unsecured creditors are to be paid a current market rate of interest on their allowed claim which shall be eight percent (8%).

____ (6) Priority tax payments required to be paid by §§1322(a)(2) and 507 (a)(7) are to be paid pro rata with the other secured creditors.

____ (7) Debtor(s) hereby rejects the following executory contracts with any resulting claim to be treated as unsecured: _____.

OR

X (8) Debtor(s) hereby assumes the executory contract or vehicle lease of Complete Property Resources, Inc.

____ X said lease payments to be paid by Debtor(s) in accordance with the terms of the original contract as term of lease is longer than term of plan and arrearage on lease is two months or less;

OR

____ Postpetition lease payments are ____ per month for ____ months. Lease arrearage, if applicable is approximately _____. Arrears shall be paid 100% concurrent with secured and priority creditors.

____ said lease payments to be disbursed by the Trustee as lease payment arrearage is in excess of two(2) months or the term of the lease is shorter than the term of the plan (LBR 3015-1(c)(1)).

X (9) Subsequent to payments to secured and priority claims, allowed general unsecured shall be paid 5 % of the amount due and owing pro rata with the other unsecured claims.

____ (10) Child support or maintenance arrearage.

____ Shall be paid 100% of the allowed claim through the plan.
____ Shall be paid outside of the plan by the debtor.

____ (11) Co-signed loans or accounts.

____ Co-signed loans or accounts of _____ shall be paid 100% of the allowed claim with interest at the contract rate of _____ percent (%).

OR

____ Co-signed loans or accounts to be paid at same dividend as general unsecured claims.

OR

____ Co-signed loans or accounts of _____ to be paid outside of the plan by the co-signer and to be considered a contingent debt.

- (12) Confirmation of the plan vests all of the property of the estate in the debtor(s) pursuant to Section 1327. The bankruptcy estate, including the property vesting in the Debtor(s) at the time of confirmation, shall continue until the case is closed, dismissed or converted, whichever occurs first;
- (13) Debtor(s) provides that all of their projected disposable income to be received in the three-year period beginning on the date that the first payment is due under the plan will be applied to make payments under the plan.
- (14) Student loans.
 - (a) Shall be paid outside of the plan as a long – term debt pursuant to 11 U.S.C. §1322(b)(5) as the last student loan payment is due after the date on which the final payment under the plan is due.
 - (b) Shall be paid through the plan at the unsecured dividend rate; however, upon completion of the plan debtor shall be responsible for any unpaid balance.
 - (c) Shall be paid though the plan 100% of the claim amount at the contract interest rate of ____%.
- (15) Special provisions, if any:

I hereby certify that I have read the foregoing plan and agree to the terms.

/s/Bradley T. Smith

Bradley T. Smith

Dated: 10/13/05

Case Attorney: W. Mark Jump
Koffel & Jump
2130 Arlington Ave.
Columbus, Ohio 43221
(614) 481-4480